STATE OF NEW YORK

8736

IN SENATE

July 13, 2020

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to the New York state police body-worn cameras program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 3 and 5 of section 234 of the executive law, as added by chapter 105 of the laws of 2020, are amended to read as follows:

3. The [~~attorney general may~~] **internal affairs department of the division of state police shall** investigate any instance where body cameras fail to record an event pursuant to this section.

5. **(a)** The division of state police shall preserve recordings of such body-worn cameras **for three years from the date of such recording** and perform all upkeep on equipment used in such body-worn cameras. Such duties shall include:

[~~(a)~~] **(i)** creating a secure record of all instances where there is recorded video or audio footage;

[~~(b)~~] **(ii)** ensuring officers have sufficient storage capacity on their cameras to allow for the recording of interactions required by this section; and

[~~(c)~~] **(iii)** ensuring officers have access to body-worn cameras for the recording of instances required by this section.

(b) Recordings shall be stored for longer than three years if the video or audio footage is evidence in any investigation of any nature.

§ 2. This act shall take effect on the same date and in the same manner as section 2 of chapter 105 of the laws of 2020, takes effect.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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